

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of	:	
	:	
REQUEST FOR REVIEW BY	:	
	:	
BIBLIOTECA ELECTRONICA DE	:	
RIO HONDO	:	CC Docket No. 02-6
	:	
	:	
Review of Denial of Funding by Schools	:	Form 471 No.: 489565
and Libraries Division	:	
Funding Year 2005	:	

To the Commission:

**REQUEST FOR REVIEW OF DECISION  
BY SCHOOLS AND LIBRARIES DIVISION  
TO DENY FUNDING COMMITMENT  
FOR FUNDING YEAR 2005-2006**

On behalf of the Biblioteca Electronica de Rio, the undersigned counsel hereby submits this appeal to the Federal Communications Commission ("FCC") to request review of Universal Service Administrative Company's Schools and Libraries Division ("SLD") denial of funding for Biblioteca Electronica de Rio Hondo. Biblioteca Electronica de Rio Hondo was denied E-Rate service funding for the 2005 Funding Year pursuant to a Funding Commitment Decision Letter issued July 18, 2005. The SLD denied Biblioteca Electronica de Rio Hondo's appeal for reinstatement, filed September 15, 2005, in a letter dated October 18, 2005. For the reasons set forth below, the Commission should reverse the SLD's denial of funding.

For the purposes of this Appeal, the Applicant respectfully submits the following:

BEN: 16028637  
Form 471 Number: 489565  
SPIN: 143006644  
Service Provider: Hispanic Information and Telecommunications Network, Inc.

### **Argument**

Biblioteca Publica Electronica de Rio's Form 471 was rejected because it "did not meet the Minimum Processing Standards." See Funding Commitment Decision Letter, page 1, Exhibit A. Specifically, the SLD alleges that the Form 471 submitted by Biblioteca Publica Electronica de Rio was missing page 4, which includes information regarding the SPIN and Service Provider Name, as well as Discount Funding Request calculations.

However, according to Biblioteca Publica Electronica de Rio's records, it did not fail to include the page in question in the application packet submitted to the SLD, and the page must have been somehow removed or lost by the SLD. On the copy of the original that was filed with the SLD, contained in the library's records, the page is included (See Exhibit B).

The SLD denied Biblioteca Publica Electronica de Rio Hondo's appeal, dated September 15, 2005, because "program rules do not permit the SLD to accept any new information on appeal except where an applicant was not given an opportunity to provide information during the initial review or an error was made by the SLD." (See Administrator's Decision on Appeal, October 18, 2005, page 1, Exhibit C). It is Biblioteca Publica Electronica de Rio Hondo's contention that an egregious error was made on the SLD's part during this review.

In its appeal to the SLD, dated September 15, 2005 (attached as Exhibit D), Biblioteca Publica de Rio Hondo provided a copy of the application that was in its files, which included page 4 of the Form 471. Biblioteca Publica de Rio Hondo certified that it filed a complete Form 471 with the SLD by the due date, including the missing page. It is Biblioteca Publica de Rio's contention that the SLD misplaced page 4 during its review, since it was clear from the library's files that the entire application was sent in a timely manner.

The SLD has grossly twisted the intent of the FCC's rules and direction in this case. As far as Biblioteca Publica de Rio Hondo is aware, there is no FCC rule that would allow the SLD to dismiss an application for E-Rate funding where the SLD seemingly lost a page of the Applicant's application, which was thereafter provided to the SLD from the Applicants' complete files immediately after the Applicant was first notified by SLD of the missing page. The library provided a complete copy of what was sent in the first place, and the SLD rejected it because the SLD misplaced one page of the application and did not ask for clarification before denying funding. There is no other plausible explanation—nor is any offered by the SLD.

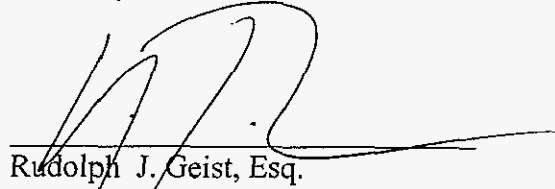
The completed application was on time for filing. The library submitted all paperwork, and kept records of what it submitted. The SLD cannot claim that the library was withholding a page from its application but not give the library a chance to cure the alleged infraction.

This is clearly arbitrary and capricious and an abuse of discretion on the part of the SLD. Biblioteca Publica Electronica de Rio Hondo requests that the FCC direct the

SLD to immediately reinstate its Form 471 to pending status, and resume process of the application and grant of funding.

Please contact the undersigned with any issues related to this appeal.

Sincerely,

A handwritten signature in black ink, appearing to be 'RJG', with a long horizontal flourish extending to the right.

Rudolph J. Geist, Esq.  
RJGLaw, LLC  
1010 Wayne Avenue Suite 950  
Silver Spring, MD 20910  
Tel: 301-589-2999  
Fax: 301-589-2644  
Email: [rgeist@rjglawllc.com](mailto:rgeist@rjglawllc.com)

December 16, 2005

# **EXHIBIT**

## **A**



Universal Service Administrative Company  
Schools & Libraries Division

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FORM 471 REJECTION LETTER  
FUNDING YEAR 2005 (July 1, 2005 - June 30, 2006)

Date: July 18, 2005

AIXA DIAZ  
BIBLIOTECA ELECTRONICA DE RIO  
AVE FERNANDEZ JUNCOS #635  
SAN JUAN, PR 00907

Re: Applicant's Form Identifier: BE05-P2-07  
Form 471 Application Number: 489565

Dear Contact Name:

This letter is your notification that the Form 471, *Services Ordered and Certification Form*, you submitted did not meet Minimum Processing Standards. Therefore we are returning your FCC Form 471 with this letter, which means that the Schools and Libraries Division (SLD) could not process it. The Form 471 Instructions list the Minimum Processing Standards. Here is an explanation of the specific reason(s) your Form 471 did not meet the Minimum Processing Standards:

- The SPIN and Service Provider Name, Block 5, Items 13 & 14, of the FCC Form 471 submitted are both blank on all Funding Requests.
- The Discount Funding Request calculations, Block 5, Item 23, Columns E, H, and J of the Form 471 submitted are all blank, all contain zero (0) or some combination of the two on all Funding Requests.

We recommend that you notify your service provider(s) about this decision.

TO APPEAL THIS DECISION

If you wish to appeal the decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
  - appellant name,
  - applicant name,
  - BEN.

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P.O. Box 7026, 3833 Greenway Dr., Lawrence, KS 66044-7026  
Visit us online at: <http://www.universalservice.org>

- Form 471 Application Number as assigned by the SLD (located at the top of this letter),
  - "Funding Year 2005 Form 471 Rejection Letter", AND
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
  4. Please provide a copy of your appeal to the service provider(s) affected by the SLD's decision.
  5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division  
Box 125 - Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division  
Universal Service Administrative Company

Enclosure:  
(1) Form 471

# **EXHIBIT**

## **B**

**Schools and Libraries Universal Service**  
**Description of Services Ordered and Certification Form 471**

Estimated Average Burden Hours per Response: 4 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (You can also file online at [www.sl.universalservice.org](http://www.sl.universalservice.org).)

The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier

B E 0 5 - P 1 - 0 7

Form 471 Application#:

(To be assigned by administrator)

(Create your own code to identify THIS Form 471)

**Block 1: Billed Entity Information** (The "Billed Entity" is the entity paying the bills for the services listed on this form.)

**1 a** Name of Billed Entity B I B L I O T E C A E L E C T R O N I C A D E R I O

**2 a** Funding Year: July 1, 2 0 0 5 through June 30, 2 0 0 6 **3** Billed Entity Number 1 6 0 2 8 6 3 7

**4 a** Street Address, P.O. Box, or Route Number C A R R I 5 6 E N T R A D A A L P U E B L O

City C o m e r i o

State P R Zip Code 0 0 7 8 2

**b** Telephone Number 7 8 7 8 7 5 3 2 1 5 Ext. Fax Number N / A

- 5 a** Type of Application
- ☐ Individual School (individual public or non-public school)
  - ☐ School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)
  - ☒ Library (including library system, library outlet/branch or library consortium as defined under LSTA)
  - ☐ Consortium
- Check here if any members of this consortium are ineligible or non-governmental entities.

**6** Contact Person's Name A I X A D I A Z

First, if the Contact Person's Street Address is the same as in Item 4, check this box ☐ If not, please complete the entries for the Street Address below

**b** Street Address, P.O. Box, or Route Number A V E F E R N A N D E Z J U N C O S # 6 3 5

City C o m e r i o

State P R Zip Code 0 0 7 8 2

Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.

☒ **c** Telephone Number 7 8 7 9 7 7 7 0 6 0 Ext. Fax Number 7 8 7 9 7 7 1 8 2 0

E-mail Address

☐ **e** N / A

**f** Holiday/vacation/summer contact information:



0 4 7 0 0 1 0 1 0

Entity Number 16028637Applicant's Form Identifier BE05-PI-07Contact Person AIXA DIAZPhone Number 7879777060

This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discounts. Complete this information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471.

Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.

**Block 2: Impact of Services Ordered on Schools**

IF THIS APPLICATION INCLUDES SCHOOLS...		BEFORE ORDER	AFTER ORDER
<b>7a</b>	Number of students to be served		
<b>b</b>	Telephone service: Number of classrooms with phone service		
<b>c</b>	Dial-up Internet access: Number of connections (up to 56kbps)		
<b>d</b>	Direct broadband services: Number of buildings served at the following speeds:		
	Less than 10 mbps		
	Between 10 mbps and 200 mbps		
	Greater than 200 mbps		
<b>e</b>	Direct connections to the Internet: Number of drops		
<b>f</b>	Number of classrooms with Internet access		
<b>g</b>	Number of computers or other devices with Internet access		

**Block 3: Impact of Services Ordered on Libraries**

IF THIS APPLICATION INCLUDES LIBRARIES...		BEFORE ORDER	AFTER ORDER
<b>8a</b>	Number of library patrons to be served		3 0 0
<b>b</b>	Telephone service: Number of rooms with phone service	0	0
<b>c</b>	Dial-up Internet access: Number of connections (up to 56kbps)	0	0
<b>d</b>	Direct broadband services: Number of buildings served at the following speeds:		
	Less than 10 mbps	0	1
	Between 10 mbps and 200 mbps		
	Greater than 200 mbps		
<b>e</b>	Direct connections to the Internet: Number of drops	0	1 0
<b>f</b>	Number of buildings with Internet access	0	1
<b>g</b>	Number of computers or other devices with Internet access	0	1 0

**Block 4: Discount Calculation Worksheets**

You must complete a separate worksheet for each group of entities sharing one or more services. If you are filing as a consortium and your members include school districts or library systems, you must complete a separate worksheet for each of those members. In addition, if you are applying for discounts for administrative buildings or other non-instructional facilities, you must complete a worksheet for all schools in the school district or all library outlets/branches in the library system in order to calculate the appropriate discount for those facilities. In general, the following columns must be completed:

INDIVIDUAL SCHOOLS:

SCHOOLS IN ONE SCHOOL DISTRICT (SHARED SERVICES):

SCHOOL DISTRICTS:

LIBRARY OUTLETS/BRANCHES

LIBRARY OUTLETS/BRANCHES IN ONE LIBRARY SYSTEM (SHARED SERVICES):

LIBRARY SYSTEMS:

CONSORTIA (after completing a worksheet or worksheet entry for each member entity as needed):

Columns 1-7 and Columns 9-10

Columns 1-10 and Item 9b, Line 1

Columns 1-10 and Item 9b, Line 1

Columns 1-7 and Column 11

Columns 1-7, Column 11, and Item 9b, Line 2

Columns 1-7, Column 11, and Item 9b, Line 2

Columns 1-2, Column 12, and Item 9b, Line 3

Please refer to the Form 471 Instructions for specific information on each item in the worksheet.

Entity Number 16028637 Applicant's Form Identifier BE05-P1-07Contact Person AIXA DIAZ Contact Telephone Number 7879777060

## Block 4: Discount Calculation Worksheet

Worksheet \_\_\_\_\_

Page 1 of 1

The Block 4 worksheet is used to calculate your discount for services. You will complete one or more worksheets depending on the type of application you are filing. If you file more than one worksheet, please number the completed worksheets to assure that they are all processed correctly. Please refer to the instructions for information specific to the Type of Application you indicated in Block 1, Item 5.

9a List entities and calculate discount(s):

School District or Library System Name: School district of ComerioSchool District or Library System Entity Number: 16028637

(For Administrator's Use)

1 Name of Eligible Entity	2 Entity Number AND NCES Code (for Schools) or FSCS Code (for Libraries)	3 Urban or Rural U or R	4 Total Number of Students	5 Number of Students Eligible for NSLP	6 Percent of Students Eligible for NSLP (Col 5 / Col 4)	7 Discount from Discount Matrix	8 Weighted Product for Calculating Shared Discount (Col. 4 x Col. 7)	9 Pre-K Adult Ed Or Juvenile Justice	10 All Disc Mech	11 Entity Number of School District in which Library Outlet/Branch is Located	12 Discount of Member Entity	13 Shared Discount
ALL ENTITIES			SCHOOLS AND LIBRARIES				Schools with Shared Services	Schools		Library Outlets/Branches	Consortia	
Libraries Electronic & Film Holdings Comerio	16028637 N/A	R		N/A	N/A	90				16028637		

## 9b Shared Services

SCHOOL DISTRICTS: (Including groups of schools within school districts.)  
Calculate the totals of Columns 4 and 8. Divide the total of Column 8 by  
the total of Column 4. Enter the result in Column 13.

LIBRARY SYSTEMS: Calculate the total of Column 7. Divide this total by  
the number of outlets/branches. Enter the result in Column 13.

CONSORTIA: Calculate the total of Column 12. Divide this total by the  
number of member entities. Enter the result in Column 13.

						90						90

Entity Number <u>16028637</u>		Applicant's Form Identifier <u>BE05-P1-07</u>	
Contact Person <u>AIXA DIAZ</u>		Phone Number <u>7879777060</u>	

**Block 5: Discount Funding Request(s)**  
**Instructions:** Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as needed, and number the completed pages to assure that they are all processed correctly.

Block 5, page 1 of 2

10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:			
11 <b>Category of Service ( only ONE category should be checked)</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> <b>PRIORITY 1</b>            Telecommunications Service   <input type="checkbox"/> Internet Access         </div> <div style="width: 45%;"> <input type="checkbox"/> <b>PRIORITY 2</b>            Internal Connections Other than Basic Maintenance   <input type="checkbox"/> Basic Maintenance of Internal Connections         </div> </div>	<b>23 Calculations</b> <div style="border: 1px solid black; padding: 2px;"> <b>A. Monthly charges (total amount per month for service)</b>            \$ <u>1</u> <u>1</u> <u>5</u> <u>0</u> <u>0</u> <u>0</u> </div> <div style="border: 1px solid black; padding: 2px;"> <b>B. How much of the amount in A is ineligible?</b>            \$ <u>0</u> <u>0</u> <u>0</u> </div> <div style="border: 1px solid black; padding: 2px;"> <b>C. Eligible month'y pre-discount amount (A minus B)</b>            \$ <u>1</u> <u>1</u> <u>5</u> <u>0</u> <u>0</u> <u>0</u> </div> <div style="border: 1px solid black; padding: 2px;"> <b>D. Number of months service provided in funding year</b>  <u>1</u> <u>2</u> </div> <div style="border: 1px solid black; padding: 2px;"> <b>E. Annual pre-discount amount for eligible recurring charges (C x D)</b>            \$ <u>1</u> <u>3</u> <u>8</u> <u>0</u> <u>0</u> <u>0</u> </div>		
12 <b>Form 470 Application Number</b> <u>2</u> <u>6</u> <u>8</u> <u>3</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>5</u> <u>3</u> <u>5</u> <u>8</u> <u>2</u> <u>8</u>	Recurring Charges	<b>F. Annual non-recurring charges</b> \$ <u>9</u> <u>9</u> <u>5</u> <u>0</u> <u>0</u>	
13 <b>SPIN – Service Provider Identification Number</b> <u>1</u> <u>4</u> <u>3</u> <u>0</u> <u>0</u> <u>6</u> <u>6</u> <u>4</u> <u>4</u>		<b>G. How much of the amount in F is ineligible?</b> \$ <u>0</u> <u>0</u> <u>0</u>	
14 <b>Service Provider Name</b> <u>H</u> <u>I</u> <u>T</u> <u>N</u>		Non-Recurring Charges	<b>H. Annual eligible pre-discount amount for non-recurring charges (F minus G)</b> \$ <u>9</u> <u>9</u> <u>5</u> <u>0</u> <u>0</u>
15a <input checked="" type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services. 15b <b>Contract Number</b> <u>N / A</u>			Total Charges
15c <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider). 15d <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:	<b>J. Discount from Block 4 Worksheet</b> <u>9</u> <u>0</u>		
16a <b>Billing Account Number (e.g., billed telephone number)</b> 16b <input type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.	<b>K. Funding Commitment Request (J x J)</b> \$ <u>1</u> <u>3</u> <u>3</u> <u>1</u> <u>5</u> <u>5</u> <u>0</u>		
17 <b>Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing)</b> <u>0</u> <u>2</u> <u>1</u> <u>4</u> <u>2</u> <u>0</u> <u>0</u> <u>5</u>	<b>21 Description of This Service:</b> You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided.		
18 <b>Contract Award Date (mm/dd/yyyy)</b> <u>0</u> <u>2</u> <u>1</u> <u>6</u> <u>3</u> <u>0</u> <u>0</u> <u>5</u>	<b>22 Entity/Entities Receiving This Service:</b> a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: <u>1</u> <u>6</u> <u>0</u> <u>2</u> <u>8</u> <u>6</u> <u>3</u> <u>7</u> b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1):		
19 <b>Service Start Date (mm/dd/yyyy)</b> <u>0</u> <u>7</u> <u>0</u> <u>1</u> <u>2</u> <u>0</u> <u>0</u> <u>5</u>			
20a <b>Service End Date (mm/dd/yyyy)</b> <u>0</u> <u>6</u> <u>3</u> <u>0</u> <u>2</u> <u>0</u> <u>0</u> <u>6</u>			
20b <b>Contract Expiration Date (mm/dd/yyyy)</b> <u>0</u> <u>6</u> <u>3</u> <u>0</u> <u>2</u> <u>0</u> <u>0</u> <u>6</u>			

Do not write in this area

Entity Number 16028637

Applicant's Form Identifier BE05-P1-07

Contact Person AIXA DIAZ

Phone Number 7879777060

## Block 6: Certifications and Signature

24 ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)

- a ☐ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
- b ☒ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.

25 ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a Total funding year pre-discount amount on this Form 471  
(Add the entries from Items 23I on all Block 5 Discount Funding Requests.)

\$ 3 2 0 4 6 0 0

b Total funding commitment request amount on this Form 471  
(Add the entries from Items 23K on all Block 5 Discount Funding Requests.)

\$ 2 8 8 4 1 4 0

c Total applicant non-discount share  
(Subtract Item 25b from Item 25a.)

\$ 3 2 0 4 6 0

d Total budgeted amount allocated to resources not eligible for E-rate support

N/A

e Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)

N/A

f ☐ Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 25e.

26 ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):

- a ☐ an individual technology plan for using the services requested in this application; and/or
- b ☒ higher-level technology plan(s) for using the services requested in this application; or
- c ☐ no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.

27 ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.

28 ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

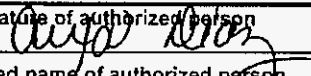
29 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s), or any representative or agent thereof or any consultant in connection with this request for services.

30 ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

Do not write in this area

Entity Number 16028637 Applicant's Form Identifier BE05-P1-07  
Contact Person AIXA DIAZ Phone Number 7879777060

- 31 ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- 32 ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- 33 ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
- 34 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
- 35 ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible components as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1), (2).
- 36 ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
- 37 ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38	Signature of authorized person	39	Date
			2/16/05
40	Printed name of authorized person		
	A I X A D I A Z		
41	Title or position of authorized person		
	C O O R D I N A T O R E L E C T R O N I C L I B R A R		
42a	Street Address, P.O. Box, or Route Number		
	A V E F E R N A N D E Z J U N C O S # 6 3 5		
	City		
	S a n J u a n		
	State	Zip Code	
	P R	0 0 9 0 1	
42b	Telephone number of authorized person	Ext	42c Fax number of authorized person
	7 8 7 9 7 7 7 0 6 0		7 8 7 9 7 7 1 8 2 0
42d	E-mail address of authorized person		
	N / A		
42e	Name of authorized person's employer		
	O F I C I N A D E C O M U N I D A D E S E S P E C I A		

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator, 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

SLD-Form 471  
P.O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD Forms  
ATTN: SLD Form 471  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100

## ITEM 21 Attachment: Telecommunications Services: Priority One

Applicant: Biblioteca Electronica de Rio Hondo  
de Comerio

Attachment: TS2005-01

BEN #: 16028637

Application: BE05-P1-07

Quantity	Product or Service Description	Unit Cost	Extended Pre-Discount Cost	
			Recurring	Non-Recurring
12	Monthly network access circuit service for distance learning applications	\$1,150.00	\$13,800.00	\$0.00
1	Provisioning and installation cost for Network access circuit	\$995.00		\$995.00
		Total:	\$13,800.00	\$995.00

## ITEM 21 Attachment: Internet Access: Priority One

**Applicant:** Biblioteca Electronica de Rio Hondo de Comercio

**Attachment:** IA2005-01

**BEN #:** 16028637

**Application:** BE05-P1-07

Quantity	Product or Service Description	Unit Cost	Extended Pre-Discount Cost	
			Recurring	Non-Recurring
12	Monthly Basic Unbundled High Speed Internet Access via two-way Satellite service. Service includes: Speeds up to 512Kbps / 2Mbps (upload/download).	\$799.00	\$9,588.00	\$0.00
12	Monthly local loop provided via satellite space segment and integral on-premise Priority 1 equipment including 1.8 Meter C-Band antenna with 5watt BUC/LNB and ViaSAT Linkstar receiver.	\$449.00	\$5,388.00	\$0.00
1	Provisioning and installation of satellite space segment, 1.8 Meter C-Band antenna with 5watt BUC/LNB and ViaSAT Linkstar	\$1,095.00	\$0.00	\$1,095.00
12	Monthly enhance mail service-10: Ten user bundle. E-mail Service (POP, IMAP and Web access. Includes integrated anti-virus and anti-spam filtering service to virus infected email and block unwanted e-mail)	\$40.00	\$480.00	\$0.00
1	Installation for enhance e-mail service	\$50.00	\$0.00	\$50.00
12	Monthly Web host package: Web Hosting - Basic package (300MB disk space, 20GB Monthly transfer, firewall protection service, daily tape backup)	\$50.00	\$600.00	\$0.00
1	Installation for Web hosting package	\$50.00	\$0.00	\$50.00
	<b>Total:</b>		<b>\$16,056.00</b>	<b>\$1,195.00</b>

**On Premise, Priority One Equipment, 1.8 Meter C-Band antenna with 5watt BUC/LNB and ViaSAT Linkstar receiver.**

**Description:** This equipment creates the telecommunications circuit from the service provider network to the school or library premise. For comparison purposes it performs the same function as the wires on a traditional terrestrial telephone circuit ("local loop").

- This equipment is an integral part of the telecommunications and Internet access service. It creates the "local loop" to the school or library premise and neither the distance learning circuit nor the Internet access circuit will function without the equipment.
- This equipment is being leased by the same service provider of the telecommunications circuits.
- The responsibility for maintaining the equipment rests with the service provider
- The equipment will remain property of the service provider at all times and in no way will ownership transfer to the school or library.
- This equipment is solely for the purpose of receiving eligible Telecommunications Services and Internet Access.
- The school or libraries internal data network has absolutely no reliance on this equipment and will be 100% functional without this equipment. This equipment is solely for the receipt of eligible telecommunications and internet access services.
- The on-premise, priority one equipment can only be used to receive eligible services at the school or library. Since this equipment is attached to the school or library's internal data network, it is technically impossible for this equipment to be used by anyone other than the eligible school or ...

AREAS IN PUERTO RICO ELIGIBLE FOR RURAL HOUSING LOANS  
BARRIOS, TOWNS AND VILLAGES

Page 3 of 9

MUNICIPIO	ELIGIBLE	NONE-ELIGIBLE	PARTIALLY ELIGIBLE **
CATAÑO		ALL	
CAYEY	BEATRIZ, CERCADILLO, CEDRO, CULEBRAS ALTO, CULEBRAS BAJO, FARALLON, GUAYATE, JAJOME ALTO, JAJOME BAJO, LAPA, MATÓN ABAJO, MATÓN ARRIBA, PAGO VIEJO, PEDRO AVILA, PIEDRAS, QUEBRADA ARRIBA, SUMIDO, VEGAS	CAYEY PUEBLO, MONTELLANO	RINCÓN, TOITA
CEIBA	PUEBLO, SACO, RIO ABAJO, QUEBRADA SECA, MACHOS, GUAYACAN, DAGUAC, CHUPACALLOS		
CIALES	PUEBLO, CIALITOS, FRONTON, HATO VIEJO, POZAS, JAGUAS, PESAS, TORO NEGRO, CORDILLERA		
CIDRA	PUEBLO, ARENAS, BEATRIZ, CEIBA, HONDURAS, MONTELLANO, RABANAL, RIO ABAJO, RINCÓN, SALTO, SUD, TOITA		SAYAMON
COAMO	COAMO PUEBLO, COAMO ARRIBA, CUYÓN, HAYALES, LIANOS, PALMAREJO, PASTOS, PEDRO GARCIA, PULGUILLAS, SAN IDELFONSO, SANTA CATALINA		
COMERIO	COMERIO BARRIO PUEBLO, CEDRITO, CEJAS, DOÑA ELENA, NARANJO, PALOMAS, PIÑAS, RIO HONDO, VEGA REDONDA		
CORRAZAL	BARRIO PUEBLO, ABRAS, CIBUCO, CUCHILLAS, DOS BOCAS, MAGUEYES, MANÁ, NEGROS, PADILLA, PALMAREJO, PALMARTO, PALOS BLANCOS, PUEBLO BARRIO		
CULEBRA	CULEBRA MUNICIPAL ISLAND		
DORADO	ESPINOSA, MAGUAYO, RIO LAJAS	DORADO PUEBLO, MANEYAL	HIGUERAS
FAJARDO	CABEZAS, DEMAGUÁ, NARANJO, QUEBRADA VUELTAS, RIO ARRIBA	FAJARDO BARRIO PUEBLO, FLORENCIO, QUEBRADA FAJARDO, SARDINERA	
FLORIDA	FLORIDA ADENTRO		

\*\* Please refer to the Local Office for reference map.

BE 05-81-07

### Schools and Libraries Universal Service Description of Services Ordered and Certification Form 471

Estimated Average Burden Hours per Response: 4 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (You can also file online at [www.sl.universalservice.org](http://www.sl.universalservice.org).)

The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier

B E 0 5 P 2 0 7

Form 471 Application#

(To be assigned by administrator)

(Create your own code to identify THIS Form 471)

**Block 1: Billed Entity Information** (The "Billed Entity" is the entity paying the bills for the services listed on this form.)

1 a

Name of  
Billed Entity

B i b l i o t e c a E l e c t r o n i c a d e R i o

2 a

Funding Year: July 1, 2 0 0 5 through June 30, 2 0 0 6

3 Billed Entity Number

1 6 0 2 8 6 3 7

4 a

Street Address,  
P.O. Box,  
or Route Number

C A R R 1 5 6 E N T R A D A A L P U E B L O

City

C o m e r i o

State

P R

Zip Code

0 0 7 8 2

Telephone  
Number

7 8 7 8 7 5 3 2 1 5

Ext

Fax

Number

b

5 a

Type of  
Application☐

Individual School

(individual public or non-public school)

☐

School District

(LEA; public or non-public [e.g. diocesan] local district representing multiple schools)

☒

Library

(including library system, library outlet/branch or library consortium as defined under LSTA)

☐

Consortium

☐ Check here if any members of this consortium are ineligible or non-governmental entities.6 Contact  
Person's  
Name

A L I X A D I A Z

First, if the Contact Person's Street Address is the same as in Item 4, check this box

☐ If not, please complete the entries

b

Street Address,  
P.O. Box,  
or Route Number

A V E F E R N A N D E Z J U N C O S # 6 3 5

City

C o m e r i o

State

P R

Zip Code

0 0 7 8 2

Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.

X c

Telephone  
Number

7 8 7 9 7 7 7 0 6 0

Ext

Fax

Number

7 8 7 9 7 7 1 8 2 0

E-mail Address

e

N / A

f

Holiday/vacation/summer  
contact information:

0 4 7 0 0 1 0 1 0

Entity Number 16028637      Applicant's Form Identifier BE05-P2-07      Contact Person AIXA DIAZ      Phone Number 7879777060

This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discounts. Complete this information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471. Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.

**Block 2: Impact of Services Ordered on Schools**

IF THIS APPLICATION INCLUDES SCHOOLS...		BEFORE ORDER	AFTER ORDER
7a	Number of students to be served		
b	Telephone service: Number of classrooms with phone service		
c	Dial-up Internet access: Number of connections (up to 56kpbs)		
d	Direct broadband services: Number of buildings served at the following speeds:		
	Less than 10 mbps      Between 10 mbps and 200 mbps      Greater than 200 mbps		
e	Direct connections to the Internet: Number of drops		
f	Number of classrooms with Internet access		
g	Number of computers or other devices with Internet access		

**Block 3: Impact of Services Ordered on Libraries**

IF THIS APPLICATION INCLUDES LIBRARIES...		BEFORE ORDER	AFTER ORDER
8a	Number of library patrons to be served		3 0 0
b	Telephone service: Number of rooms with phone service	0	0
c	Dial-up Internet access: Number of connections (up to 56kpbs)	0	0
d	Direct broadband services: Number of buildings served at the following speeds:	0	1
	Less than 10 mbps      Between 10 mbps and 200 mbps      Greater than 200 mbps		
e	Direct connections to the Internet: Number of drops	0	1 0
f	Number of buildings with Internet access	0	1
g	Number of computers or other devices with Internet access	0	1 0

**Block 4: Discount Calculation Worksheets**

You must complete a separate worksheet for each group of entities sharing one or more services. If you are filing as a consortium and your members include school districts or library systems, you must complete a separate worksheet for each of those members. In addition, if you are applying for discounts for administrative buildings or other non-instructional facilities, you must complete a worksheet for all schools in the school district or all library outlets/branches in the library system in order to calculate the appropriate discount for those facilities. In general, the following columns must be completed:

INDIVIDUAL SCHOOLS:  
SCHOOLS IN ONE SCHOOL DISTRICT (SHARED SERVICES):  
Columns 1-7 and Columns 9-10  
Columns 1-10 and Item 9b, Line 1  
SCHOOL DISTRICTS:  
LIBRARY OUTLETS/BRANCHES  
LIBRARY OUTLETS/BRANCHES IN ONE LIBRARY SYSTEM (SHARED SERVICES):  
Columns 1-7 and Column 11  
Columns 1-7, Column 11, and Item 9b, Line 2  
LIBRARY SYSTEMS:  
CONSORTIA (after completing a worksheet or worksheet entry for each member entity as needed): Columns 1-2, Column 12, and Item 9b, Line 3

Please refer to the Form 471 instructions for specific information on each item in the worksheet.

Entity Number 16028637 Applicant's Form Identifier BE05-P2-07  
 Contact Person AIXA DIAZ Contact Telephone Number 7879777060

#### Block 4: Discount Calculation Worksheet

Worksheet \_\_\_\_\_

Page 1 of 1

The Block 4 worksheet is used to calculate your discount for services. You will complete one or more worksheets depending on the type of application you are filing. If you file more than one worksheet, please number the completed worksheets to assure that they are all processed correctly. Please refer to the instructions for information specific to the Type of Application you indicated in Block 1, Item 5.

9a List entities and calculate discount(s):

School District or Library System Name: School district of Comerio

School District or Library System Entity Number: 16028637

(For Administrator's Use)

1 Name of Eligible Entity	2 Entity Number AND NCES Code (for Schools) or FSCS Code (for Libraries)	3 Urban or Rural U or R	4 Total Number of Students	5 Number of Students Eligible for NSLP	6 Percent of Students Eligible for NSLP (Col. 5 / Col. 4)	7 Discount from Discount Matrix	8 Weighted Product for Calculating Shared Discount (Col. 4 x Col. 7)	9 Pre-K Adult Ed Or Juvenile Justice	10 All Disc Mech	11 Entity Number of School District in which Library Outlet/Branch is Located	12 Discount of Member Entity	13 Shared Discount
ALL ENTITIES			SCHOOLS AND LIBRARIES				Schools with Shared Services	Schools		Library Outlets/Branches	Consortia	
School District of Comerio	16028637 N/A	R		X	N/A	90				16028637		

#### 9b Shared Services

SCHOOL DISTRICTS: (Including groups of schools within school districts.)  
 Calculate the totals of Columns 4 and 8. Divide the total of Column 8 by  
 the total of Column 4. Enter the result in Column 13.

LIBRARY SYSTEMS: Calculate the total of Column 7. Divide this total by  
 the number of outlets/branches. Enter the result in Column 13.

CONSORTIA: Calculate the total of Column 12. Divide this total by the  
 number of member entities. Enter the result in Column 13.

						90						90

Entity Number <u>16028637</u>		Applicant's Form Identifier <u>BE05-P2-07</u>	
Contact Person <u>AIXA DIAZ</u>		Phone Number <u>7879777060</u>	

**Block 5: Discount Funding Request(s)**  
 Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as needed, and number the completed pages to assure that they are all processed correctly.

Block 5, page 1 of 1

<p>10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:</p>		<p>23 Calculations</p>	
<p>11 Category of Service (only ONE category should be checked)</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input type="checkbox"/> <b>PRIORITY 1</b> Telecommunications Service</p> <p><input type="checkbox"/> Internet Access</p> </div> <div style="width: 45%;"> <p><input checked="" type="checkbox"/> <b>PRIORITY 2</b> Internal Connections Other than Basic Maintenance</p> <p><input type="checkbox"/> Basic Maintenance of Internal Connections</p> </div> </div>		<p><b>Recurring Charges</b></p> <p>A. Monthly charges (total amount per month for service)  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 0 0 0 0 0 0 0 0 0 0</div></p> <p>B. How much of the amount in A is ineligible?  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 0 0 0 0 0 0 0 0 0 0</div></p> <p>C. Eligible monthly pre-discount amount (A minus B)  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 0 0 0 0 0 0 0 0 0 0</div></p> <p>D. Number of months service provided in funding year <u>12</u></p> <p>E. Annual pre-discount amount for eligible recurring charges (C x D)  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 0 0 0 0 0 0 0 0 0 0</div></p>	
<p>12 Form 470 Application Number  <div style="border: 1px solid black; padding: 2px; text-align: center;">2 6 8 3 0 0 0 0 0 5 3 5 8 2 8</div></p> <p>13 SPIN – Service Provider Identification Number  <div style="border: 1px solid black; padding: 2px; text-align: center;">1 4 3 0 0 6 6 4 4</div></p> <p>14 Service Provider Name  <div style="border: 1px solid black; padding: 2px; text-align: center;">H I T N</div></p>		<p><b>Non-Recurring Charges</b></p> <p>F. Annual non-recurring charges  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 8 6 9 2 0 0 0 0 0 0</div></p> <p>G. How much of the amount in F is ineligible?  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 0 0 0 0 0 0 0 0 0 0</div></p> <p>H. Annual eligible pre-discount amount for non-recurring charges (F minus G)  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 8 6 9 2 0 0 0 0 0 0</div></p>	
<p>15a <input checked="" type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.</p> <p>15b Contract Number  <div style="border: 1px solid black; padding: 2px; text-align: center;">N / A</div></p> <p>15c <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider)</p> <p>15d <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:</p>		<p><b>Total Charges</b></p> <p>I. Total funding year pre discount amount (E + H)  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 8 6 9 2 0 0 0 0 0 0</div></p> <p>J. Discount from Block 4 Worksheet <u>9 0</u></p> <p>K. Funding Commitment Request (I - J)  <div style="border: 1px solid black; padding: 2px; text-align: center;">\$ 7 8 2 2 0 0 0 0 0 0</div></p>	
<p>16a Billing Account Number (e.g., billed telephone number)  <div style="border: 1px solid black; padding: 2px; text-align: center;">[Blank]</div></p> <p>16b <input type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.</p> <p>17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing)  <div style="border: 1px solid black; padding: 2px; text-align: center;">0 2 1 4 2 0 0 5</div></p> <p>18 Contract Award Date (mm/dd/yyyy)  <div style="border: 1px solid black; padding: 2px; text-align: center;">0 2 1 6 2 0 0 5</div></p> <p>19 Service Start Date (mm/dd/yyyy)  <div style="border: 1px solid black; padding: 2px; text-align: center;">0 7 0 1 2 0 0 5</div></p> <p>20a Service End Date (mm/dd/yyyy)  <div style="border: 1px solid black; padding: 2px; text-align: center;">0 6 3 0 2 0 0 6</div></p> <p>20b Contract Expiration Date (mm/dd/yyyy)  <div style="border: 1px solid black; padding: 2px; text-align: center;">0 6 3 0 2 0 0 6</div></p>		<p>21 Description of This Service:          You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided.</p> <p style="text-align: right;">Attachment  <div style="border: 1px solid black; padding: 2px; text-align: center;">1 C 2 0 0 5 1</div></p>	
<p>22 Entity/Entities Receiving This Service:</p>		<p>a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service:  <div style="border: 1px solid black; padding: 2px; text-align: center;">1 6 0 2 8 6 3 7</div></p> <p>b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1):  <div style="border: 1px solid black; padding: 2px; text-align: center;">[Blank]</div></p>	

Do not write in this area

Entity Number 16028637

Applicant's Form Identifier BE05-P2-07

Contact Person AIXA DIAZ

Phone Number 7879777060

## Block 6: Certifications and Signature

24 ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)

- a ☐ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
- b ☒ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.

25 ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a Total funding year pre-discount amount on this Form 471  
(Add the entries from Items 23l on all Block 5 Discount Funding Requests.)

\$ 5 3 9 2 0 0

b Total funding commitment request amount on this Form 471  
(Add the entries from Items 23K on all Block 5 Discount Funding Requests.)

\$ 4 8 5 2 8 0

c Total applicant non-discount share  
(Subtract Item 25b from Item 25a.)

\$ 5 3 9 2 0

d Total budgeted amount allocated to resources not eligible for E-rate support

N/A

e Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)

N/A

f ☐ Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 25e.

26 ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):

- a ☐ an individual technology plan for using the services requested in this application; and/or
- b ☒ higher-level technology plan(s) for using the services requested in this application; or
- c ☐ no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.

27 ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.

28 ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

29 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s), or any representative or agent thereof or any consultant in connection with this request for services.

30 ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

Do not write in this area

Entity Number 16028637 Applicant's Form Identifier BE05-P2-07

Contact Person AIXA DIAZ Phone Number 7879777060

- 31 ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- 32 ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- 33 ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
- 34 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
- 35 ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible components as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1), (2).
- 36 ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
- 37 ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38	Signature of authorized person	39	Date
			5/16/05
40	Printed name of authorized person		
	A I X A D I A Z		
41	Title or position of authorized person		
	C O O R D I N A T O R E L E C T R O N I C L I B R A R		
42a	Street Address, P.O. Box, or Route Number		
	A V E F E R N A N D E Z J U N C O S # 6 3 5		
	City		
	S a n J u a n		
	State	Zip Code	
	P R	0 0 9 0 1	
42b	Telephone number of authorized person	Ext	42c Fax number of authorized person
	7 8 7 9 7 7 7 0 6 0		7 8 7 9 7 7 1 8 2 0
42d	E-mail address of authorized person		
	N / A		
42e	Name of authorized person's employer		
	O F I C I N A D E C O M U N I D A D E S E S P E C I A		

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC, or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

SLD-Form 471  
P.O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD Forms  
ATTN: SLD Form 471  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100

## ITEM 21 Attachment: Internal Connections: Priority Two

**Applicant:** Biblioteca Electronica de Rio Hondo  
de Comercio

**Attachment:** IC2005-01

**BEN #:** 16028637

**Application:** BE05-P2-07

Quantity	Product or Service Description	Unit Cost	Extended Pre-Discount Cost	
			Recurring	Non-Recurring
1	Dell-3324: Dell PowerVault 3324 Managed 10/100 Ethernet Switch	\$499.00	\$0.00	\$499.00
1	Installation cost for Dell-3324	\$250.00	\$0.00	\$250.00
1	APC-3000: Uninterrupted Power Supply (APC Smart UPS 3000) for Internet equipment	\$1,250.00	\$0.00	\$1,250.00
1	Installation cost for APC-3000	\$99.00	\$0.00	\$99.00
1	HITN-CAB-19: 19" 42U Rack-Unit data center cabinet for eligible equipment	\$1,895.00	\$0.00	\$1,895.00
1	Installation Cost for HITN-CAB-19	\$149.00	\$0.00	\$149.00
10	HITN-Cat5e: Internal cable from PC to Internet access ethernet switch.	\$125.00	\$0.00	\$1,250.00
		<b>Total:</b>	\$0.00	\$5,392.00

### On Premise, Priority Two Equipment, Ethernet Switch, UPS, Rack-Unit Data Center Cabinet, Internal Cabling

Description: This equipment creates the internal connection between the telecommunications circuit from the service provider network and the school or library premise.

- This equipment is not an integral part of the telecommunications and Internet access service. Neither the distance learning circuit nor the Internet access circuit can be interconnected without this equipment or equivalent school or library equipment.
- This equipment is solely for the purpose of interconnecting eligible Telecommunications Services and Internet Access.
- Only HITNet priority one and priority two eligible equipment will be connected to the UPS
- Only HITNet priority one and priority two eligible equipment will be mounted in the cabinet and such restriction will be clearly identified on the rack unit

**AREAS IN PUERTO RICO ELIGIBLE FOR RURAL HOUSING LOANS  
BARRIOS, TOWNS AND VILLAGES**

MUNICIPIO	ELIGIBLE	NONE-ELIGIBLE	PARTIALLY ELIGIBLE **
CATAÑO		ALL	
CAYEY	BEATRIZ, CERCADILLO, CEDRO, CULEBRAS ALTO, CULEBRAS BAJO, FARALLON, GUAVATE, JAJOME ALTO, JAJOME BAJO, LAPA, MATÓN ABAJO, MATÓN ARRIBA, PASTO VIEJO, PEDRO AVILA, PIEDRAS, QUEBRADA ARRIBA, SUMIDO, VEGAS	CAYEY PUEBLO, MONTELLANO	RINCÓN, TOITA
CEIBA	PUEBLO, SACO, RIO ABAJO, QUEBRADA SECA, MACHOS, GUAYACAN, DAGUAO, CHUPACALLOS		
CIALES	PUEBLO, CIALTOS, FRONTON, HATO VIEJO, POZAS, JAGUAS, PESAS, TORO NEGRO, CORDILLERA		
CIDRA	PUEBLO, ARENAS, BEATRIZ, CEIBA, HONDURAS, MONTELLANO, RABANAL, RIO ABAJO, RINCÓN, SALTO, SUD, TOITA		BAYAMON
COAMO	COAMO PUEBLO, COAMO ARRIBA, CUYON, HAYALES, LLANOS, PALMAREJO, PASTOS, PEDRO GARCIA, PULGUILLAS, SAN IDELFONSO, SANTA CATALINA		
COMERIO	COMERIO BARRIO PUEBLO, CEDRITO, CEJAS, DOÑA ELENA, NARANJO, PALOMAS, PIÑAS, RIO HONDO, VEGA REDONDA		
COROZAI	BARRIO PUEBLO, ABRAS, CIBUCO, CUCHILLAS, DOS BOCAS, MAGUEYES, MANÁ, NEGROS, PADILLA, PALMAREJO, PALMARITO, PALOS BLANCOS, PUEBLO BARRIO		
CULEBRA	CULEBRA MUNICIPAL ISLAND		
DORADO	ESPINOSA, MAGUAYO, RIO LAJAS	DORADO PUEBLO, MAMEYAL	HIGUILLAR
FAJARDO	CABEZAS, DEMAJAGUA, NARANJO, QUEBRADA VUELTAS, RIO ARRIBA	FAJARDO BARRIO PUEBLO, FLORENCIO, QUEBRADA FAJARDO, SARDINERA	
FLORIDA	FLORIDA ADENTRO		

\*\* Please refer to the Local Office for reference map.

BE 05-02-07

# **EXHIBIT**

## **C**



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2005-2006**

October 18, 2005

Adrianne E. Arnold  
RJG Law LLC  
1010 Wayne Avenue, Suite 950  
Silver Spring, MD 20910

Re: Applicant Name: BIBLIOTECA ELECTRONICA DE RIO  
HONDO  
Billed Entity Number: 16028637  
Form 471 Application Number: 489565  
Funding Request Number(s): 1 Unassigned  
Your Correspondence Dated: September 15, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Rejection Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1 Unassigned  
Decision on Appeal: **Denied**  
Explanation:

- On appeal, you seek reversal of the SLD's decision to reject your application for not meeting the minimum processing standards. You state the records did not fail to include the page in question and the page must have been somehow removed or lost by the SLD.
- Upon review of your appeal letter, the relevant facts, and supporting documentation, the SLD determined the original request was correctly denied. On appeal you submitted new information with the missing page in question. Program rules do not permit the SLD to accept new information on appeal except where an applicant was not given an opportunity to provide information during the initial review or an error was made by SLD. It is the applicant's ultimate

responsibility to ensure the accuracy of the information submitted during the application process.

- You claim that the Block 5, page 4 for Form 471 application number 489565 was in the envelope mailed on February 17, 2005. However, there is no record that the Page 4, Block 5 of Form 471 was received by SLD. Consequently, you have failed to provide persuasive evidence demonstrating that the Page 4, Block 5 of Form 471 was submitted, and the SLD can only conclude that the documentation was never sent.
- The official record of the submitted application indicates that an item required by the minimum processing standards was omitted. "When an applicant submits an FCC Form 471 that omits an item subject to the minimum processing standards, SLD automatically returns the application to the applicant without considering the application for discounts under the program." Request for Review by Intelenet Commission, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc., File No. SLD-267544, CC Docket Nos. 96-45 and 97-21, Order, DA 02-942, 17 FCC Rcd. 732415 (rel. Apr. 24, 2002). In the FCC's Intelenet decision, the FCC noted that "[i]t is well established law that the absence of an official record of an event is evidence of the non-occurrence of the event."

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Aixa Diaz

Adrianne E. Arnold  
RJG Law LLC  
1010 Wayne Avenue, Suite 950  
Silver Spring, MD 20910

Billed Entity Number: 16028637  
Form 471 Application Number: 489565  
Form 486 Application Number:

# **EXHIBIT**

## **D**

# RJGLAW LLC

1010 WAYNE AVENUE, SUITE 950  
SILVER SPRING, MD 20910

RUDOLPH J. GEIST, ESQ.  
EXT. 105

TEL. (301) 589-2999  
FAX: (301) 589-2644

E-MAIL  
rgeist@rjglawllc.com

September 15, 2005

Via Electronic Mail:  
appeals@sl.universalservice.org

Letter of Appeal  
Schools and Libraries Division  
Universal Service Administrative Co.  
Box 125—Correspondence Unit  
80 South Jefferson Road  
Whippany, NY 07981

RE: Appeal of Biblioteca Electronica de Rio

Dear Sir or Madam:

On behalf of the Biblioteca Electronica de Rio, the undersigned counsel hereby submits this letter of appeal to the Universal Service Administrative Company, Schools and Libraries Division ("USAC", "SLD"). Biblioteca Electronica de Rio was denied E-Rate service funding for the 2005 Funding Year pursuant to a Funding Commitment Decision Letter issued July 18, 2005.

For the purposes of this Appeal, the Applicant respectfully submits the following:

BEN:	16028637
Form 471 Number:	489565
SPIN:	143006644
Service Provider:	Hispanic Information and Telecommunications Network, Inc.

## **Argument**

Biblioteca Publica Electronica de Rio's Form 471 was rejected because it "did not meet the Minimum Processing Standards." See Funding Commitment Decision Letter, page 1. Specifically, the SLD alleges that the Form 471 submitted by Biblioteca Publica Electronica de Rio was missing page 4, which includes information regarding the SPIN and Service Provider Name, as well as Discount Funding Request calculations.

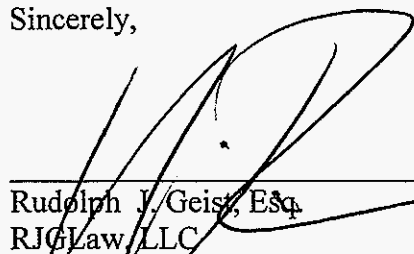
However, according to Biblioteca Publica Electronica de Rio's records, it did not fail to include the page in question in the application packet submitted to the SLD, and the page must have been somehow removed or lost by the SLD. On the copy of the original that was filed with the SLD, contained in the library's records, the page is attached to the copy.

Therefore, Biblioteca Publica Electronica de Rio's only conclusion is that the page was unintentionally misplaced by the SLD during review. For the SLD's convenience, the completed application is attached as Exhibit A.

Biblioteca Publica Electronica de Rio respectfully requests that the SLD immediately reinstate its Form 471 to pending status, and resume process of the application and grant of funding.

Please contact the undersigned with any issues related to this appeal.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'RJ Geist', is written over a horizontal line.

Rudolph J. Geist, Esq.  
RJGLaw, LLC  
1010 Wayne Avenue Suite 950  
Silver Spring, MD 20910  
Tel: 301-589-2999  
Fax: 301-589-2644  
Email: [rgeist@rjglawllc.com](mailto:rgeist@rjglawllc.com)